

THE CHAIRMAN: Delegate Hanson.

DELEGATE HANSON: Insofar as that is within the definition of general public law and all of section 7.06, that would be the case, as I responded in my answer to Delegate Gallagher.

THE CHAIRMAN: I am afraid that answer confuses the Chair even more.

If you are referring here to a law of the General Assembly which would authorize but not compel a county to take specific action with respect to elections, I would take it that you do not intend that such law, without the option having been exercised by the county, would be effective under this sentence.

Am I correct about that?

DELEGATE HANSON: You are correct, Mr. Chairman. The law would not be self-executing.

THE CHAIRMAN: Then I think your answer should have been as the Chair indicated earlier. Your "public general law" would then not refer to the kind of law which would authorize a particular county to take action.

Delegate Hanson?

DELEGATE HANSON: I do not know whether you are making me sound clearer or I am making me sound clearer, Mr. Chairman.

THE CHAIRMAN: I am interested only in understanding the impact of the sentence. As the Chair reads the sentence as presently drafted, the sentence beginning in line 10, you are providing that elections of county officials shall be held at the same time as election of State officials, unless a public general law says otherwise, or unless the instrument of government says otherwise.

Now, with respect to the first "unless", I take it you would not include in that category a law which authorized a county to provide otherwise if the county had not provided otherwise.

Delegate Hanson: I believe that is correct, but I am now confused myself.

I yield on this to Delegate Moser, Mr. Chairman.

THE CHAIRMAN: Delegate Moser.

DELEGATE MOSER: I must claim responsibility for the Chairman's confusion. It is perfectly clear, I think from earlier

colloquy, that what the sponsors intend is that when the term "public general law" is used here that it carries with it the full meaning of 7.06.

I can get into a technical discussion of it, but possibly it is better not to, because Style and Drafting is working on this specific problem. The intention is that the General Assembly will be authorized, if it denies the power to select its particular election date to all counties, to nevertheless permit some counties to select their own election date.

Is that clear?

THE CHAIRMAN: But if that is done, I take it that the first clause in the sentence beginning in line 10 does not become operative. It is not the kind of public general law that thereby is in effect, and that it would not become operative unless the county, pursuant to the law, took action.

DELEGATE MOSER: That is precisely true.

THE CHAIRMAN: Then I would take it that it would necessarily follow that the term "public general law" as used in this sentence, could not possibly embrace the kind of law which authorizes a county to take action.

DELEGATE MOSER: Mr. Chairman, that is not what the sponsors intend in this respect, and I guess we will have to get into the technical discussion.

THE CHAIRMAN: I am afraid that we are confusing the issue worse if we get into the technical discussion. I suggest to you that the question of intent here does not depend upon that, but depends entirely upon what is intended as a matter of fact.

Now, let me ask the sponsor of this question, without relation to the language. I take it that the sponsors intend by this section that elections of county officials shall be held at the same time as the election for state officials, even though the General Assembly passes a law authorizing Baltimore City to provide otherwise if in fact Baltimore City does not provide otherwise.

Is that correct, sir?

DELEGATE HANSON: Yes.

THE CHAIRMAN: The Chair is either very abstruse, or I stand on my previous statement.

Delegate Clagett.

DELEGATE CLAGETT: All that we need to understand, Mr. Chairman, is that